

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALVIN TAYLOR,)	
)	
Plaintiff(s),)	No. C07-1215 BZ
)	
v.)	SUPPLEMENTAL BRIEFING ORDER
)	
RIVER ROCK CASINO, et al.,)	
)	
)	
Defendant(s).)	
_____)	

Having reviewed defendant's motion to dismiss plaintiff's complaint, plaintiff's opposition, and plaintiff's complaint, the basis for this Court's subject matter jurisdiction is unclear. See Peabody Coal Co. v. Navajo Nation, 373 F.3d 945, 949 (9th Cir. 2004) (holding that the fact that the defendant is "a Native sovereign is not, by itself, sufficient to raise a federal question") (citations omitted). This Court can raise the issue of subject matter jurisdiction sua sponte. See Dittman v. California, 191 F.3d 1020, 1025 (9th Cir. 1999). Therefore, **IT IS ORDERED** as follows:

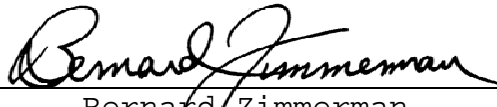
1. Defendant's reply shall include discussion of the basis for this Court's subject matter jurisdiction over

1 plaintiff's claim, and shall be filed by **Tuesday, June 26,**
2 **2007.**

3 2. Plaintiff shall file a surreply addressing the basis
4 for this Court's subject matter jurisdiction by **Tuesday, July**
5 **3, 2007.**

6 3. The hearing remains scheduled for **Wednesday, July 11,**
7 **2007.**

8 Dated: June 20, 2007

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10 Bernard Zimmerman
United States Magistrate Judge

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